

### REMARKS

This Amendment is in response to the final Office Action dated August 8, 2005. Claims 1-35 are pending in this application. Previously, claims 6, 11, 12, 15-20, 26 and 27 were withdrawn from further prosecution for being directed to a non-elected species. By this Amendment, claim 21 was amended for clarification purposes and it is not intended to narrow the scope of the claim. Claims 22 and 24 were rewritten in independent form. Applicants respectfully request reconsideration of all the pending claims in view of the remarks presented below.

Applicants thank the Examiner for indicating that claims 28-35 are allowed. Applicants also thank the Examiner for indicating that claims 2, 4, 5, 7-10, 13, 14, 22, 24 and 25 would be allowable if rewritten in independent form.

Claims 1, 3, 21 and 23 were rejected under 35 U. S. C. 102(e) as being anticipated by U.S. Patent No. 6,511,497 to Braun et al. (the "Braun patent"). Applicants submit that the presently claimed invention of claims 1 and 3 is directed to a system which uses a sheathless filter device adapted to be inserted over a guide wire for positioning to a distal position on the guide wire. The method of claims 21 and 23 is similarly directed to a sheathless filter which is slidable along the guide wire for deployment to a distal site in a body vessel. The Braun patent, however, is directed to a filter which is fixedly attached to the distal end of a guide wire. In this regard, the fixed filter and delivery system described in the Braun patent is quite different from Applicants' presently claimed invention. Accordingly, Applicants respectfully request the Examiner to withdraw the Braun patent as an anticipatory reference.

In view of the allowability of generic claims, Applicants respectfully request the Examiner to allow claims 6, 11, 12, 15-20, 26 and 27 which were previously withdrawn.

In view of the foregoing, it is respectively urged that all of the present claims of the application are patentable and in a condition for allowance. The undersigned attorney

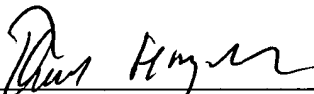
can be reached at (310) 824-5555 to facilitate prosecution of this application, if necessary.

In light of the above amendments and remarks, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By: \_\_\_\_\_

  
Thomas H. Majcher  
Registration No. 31,119

THM:gbr

Howard Hughes Center  
6060 Center Drive, Tenth Floor  
Los Angeles, CA 90045  
Telephone: (310) 824-5555  
Facsimile: (310) 824-9696  
Customer No. 24201

99130.1